

DECLARATION WITH POWER**torney's Docket No.:0891-044P**

I, the undersigned inventor hereby declare that my residence, post office address, and my citizenship are correctly stated below following my signature; that to the best of my knowledge I am the first, original and joint inventor of the invention described and claimed in the application for United States Letters Patent, having the title New Hydroxyindoles, their Use as Inhibitors of Phosphodiesterase 4, and Process for their Preparation, the description of which is/was filed in the United States Patent and Trademark Office, and I state that I reviewed and understand the contents of the enclosed specification and claims and of any amendment thereof specifically referred to hereinabove, and recognize my obligation pursuant to 37 C.F.R. 1.56 to disclose all information that is material to the examination and prosecution of this patent application. I hereby state that I authorized the filing of this application.

I hereby claim the benefit of priority under 35 U.S.C. 119 of German patent application No. 198 18 964.8, filed on April 28, 1998 and

No. 199 17 504.7, filed on April 17, 1999.

I hereby appoint Fritz L. Schweitzer, Jr. Reg. No. 17,402; Michael A. Cornman, Reg. No. 20,672; Gabriel P. Katona, Reg. No. 20,829; Meyer A. Gross, Reg. No. 22,036; Jay A. Bondell, Reg. No. 28,188; Fritz L. Schweitzer, III. Reg. No. 39,363; and Robert I. Pearlman, Reg. No. 18,881, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and I hereby request that all correspondence herein be directed to Schweitzer Cornman Gross & Bondell, LLP, 230 Park Avenue, New York 10169; phone (212)986-3377; fax (212)986-6126.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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